

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

SCOTT M. THORNTON,)	
)	
Plaintiff,)	
vs.)	NO. CIV-07-317-D
)	
OKLAHOMA COUNTY PUBLIC)	
DEFENDER, et al.,)	
)	
Defendants.)	

ORDER

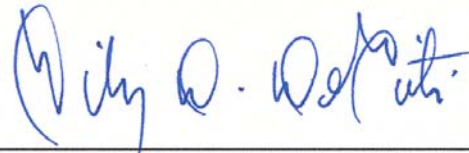
Plaintiff, an inmate appearing *pro se*, brought this action pursuant to 42 U.S.C. §1983. In accordance with 28 U.S.C. §636(b)(1)(B), the matter was referred to United States Magistrate Judge Bana Roberts for initial proceedings. On September 28, 2007 Judge Roberts filed a Report and Recommendation [Doc. No. 23] in which she recommended that the court dismiss this action pursuant to 18 U. S. C. §§1915A(a) and 1915(e)(2)(B) because the required initial review of the Complaint establishes that the plaintiff's allegations fail to state a claim upon which relief may be granted. She also recommended that the dismissal count as a strike in accordance with 18 U. S. C. §1915(g).

The Report and Recommendation also advised plaintiff of his right to object to same, set an October 18, 2007 deadline for filing objections, and cautioned plaintiff that a failure to timely file objections would result in a waiver of his right to appellate review of the matters determined in the Report and Recommendation. By Order of October 19, 2007 [Doc. No. 26], the Court granted the plaintiff's request for a 30-day extension of the deadline for filing objections to the Report and Recommendation. That deadline has expired, and plaintiff has not filed an objection.

Accordingly, the Report and Recommendation [Doc. No. 23] is adopted as though fully set

forth herein. This action is dismissed upon filing and, pursuant to 28 U. S. C. §1915(g), the dismissal counts as a strike.

IT IS SO ORDERED this 11th day of December, 2007.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE